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Prairie View students file another voting rights suit

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Prairie View A&M University students embroiled in a voting rights fight in Waller County filed another lawsuit Tuesday in what they are calling efforts to preserve their ability to vote in local elections.

The second lawsuit, filed in federal court in Houston, is in response to a decision by county officials to reduce the number of days and hours for early voting at a satellite location: a community center on the Prairie View campus.

Jonah Goldman, an attorney with the Lawyers' Committee for Civil Rights Under Law, said students would like early voting at the center to take place from 8:30 a.m. to 5 p.m. over two days. But Waller County officials have approved only one day, Feb. 25 from 9 a.m. to 3 p.m.

Tuesday's lawsuit comes nearly two weeks after Prairie View students filed one against Waller County District Attorney Oliver Kitzman, who last year said they weren't automatically eligible to vote in county elections because of state-mandated residency standards.

That lawsuit, also filed in Houston, came on the heels of an opinion by Texas Attorney General Greg Abbott, who said Prairie View students may vote in their university town if they simply designate Waller County as their residence.

Goldman said any voting change in Texas is covered under Section 5 of the Voting Rights Act and must be approved by the U.S. Department of Justice in order to show that it does not worsen the position of minority voters.

"During other times they precleared other plans that had different amounts of early voting," he said. "This change has not been precleared."

According to students' attorneys, the last change approved by federal authorities was for an election in March 2002, when two days of early voting were allotted for the campus center.

But Waller County Elections Administrator Lela Loewe, one of the lawsuit's defendants, said she submitted paperwork to the Justice Department on Friday and again on Tuesday regarding the recent change. The change was approved by Waller County Commissioners Court last week.

Loewe said the change is an increase in the number of days allotted for early voting at the campus center because the location was not used in 2003 for early voting for the state constitutional amendments election.

The change in use of the campus center from two days in 2002 to zero days in 2003 was approved by the Justice Department, she said.

Officials with the Justice Department did not immediately return a telephone call from The Associated Press on Tuesday.

"A request was made to me verbally for three days at Prairie View and I didn't see wasting the county money on that," Loewe said. "You don't fix a problem before you have it. When you show me you will have that many people voting in (more than one) day, I will do that."

The students' attorneys have said their clients ability to participate in the March 9 primary election would be limited because students don't have time to go to other locations because they are preparing for midterm exams and spring break is the week of the election, when many of them will be gone.

Goldman said he doesn't believe the action taken by Waller County officials on the early voting location is in response to the lawsuit filed earlier this month.

"It's another indication of systematic problems Waller County has in addressing the rights of minority voters at Prairie View," he said.

Loewe said her decision was based on prior use of early voting locations and how many the county could afford to open this election.